

**Secretary of Health and Human Resources=  
CHILD SUPPORT GUIDELINE REVIEW PANEL  
730 East Broad Street B Management Services Unit  
Richmond, Virginia 23219**



*Joseph S. Crane, Chairman  
Bill Brownfield, Staff Director*

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**Minutes  
May 23, 2002 Meeting**

The meeting of the 2001-2002 Secretary's Child Support Guideline Review Panel was held on May 23, 2002 at 9:00am in House Room C of the General Assembly Building, Richmond, VA. Mr. Joseph Crane, Chairman, called the meeting to order and noted that Mr. Bill Brownfield, Staff Director, would serve the Panel as Secretary.

The following members were present for the meeting: Ms. Amy Atkinson; Ms. Cathy Burch; Ms. Ann Brakke Campfield; Mr. Maxie Cannon; Chairman Joseph Crane; Mr. Lawrence Diehl; Ms. Cynthia Ewing; Senator Fred Quayle; Mr. Murray Steinberg; Ms. Stephanie Sulmer; and Judge Ellen White. Support staff present included Bill Brownfield, Bob Owen and Angela Thomas. Delegate Vivien Watts and Judge Patricia West were unable to attend.

The Chair declared a quorum present. He reminded the members that the deadline for the Panel's report to the Secretary and the General Assembly is October 31, 2002, stating that the draft report must be completed in early September in order for Panel review and comments, etc. Mr. Crane also noted that, as requested by the Panel at the last meeting, three economists were scheduled to present their critique and comments and suggestions on Virginia's current child support Guideline. These presentations would comprise the majority of the day's activities.

Mr. Crane noted the minutes of the March 21, 2002 meeting of the Panel had been distributed earlier via mail, and that additional copies were available. Ms. Ewing moved the minutes be approved as distributed. The motion was approved unanimously.

The presentations by the three economists, and follow-up questions by Panel members, took place as follows:

9:30 a.m. - Dr. John Knapp, University of Virginia

11:10 a.m. - Dr. William Rodgers, College of William and Mary

1:30 p.m. - Mr. Mark Rogers, Griffin, GA

Prior to each presentation, Chairman Crane provided vita information on each of the presenters.

Previously Identified Issues List

Using the Panel's "Issues" list from the March 21, 2002 meeting, distributed with the minutes of that meeting, the Panel chose to add the following issues: #28, Self-Support Reserve; #29, Deviation Factors; #30, Language to nullify "clean hands" doctrine[when Noncustodial Parent (NCP) has arrearage and in financial difficulty]; and #31, Determine Income Shares versus Cost Shares for determining the Schedule of Monthly Obligations. {A revised Issues list is attached to, and a part of, these minutes.}

The members then determined to combine certain related issues. Combined as a revised #8 Issue were Issues #8, #13 and #16. The Panel then determined to identify those issues it deemed highest or most important to attempt to address, given the time available prior to their report deadline. The "Highly Important Issues" list included, in no order of priority, #1, #8 as revised, #10, #11, #14, #17, #19, and #28.

For those members absent, or for other issues any member believes should be added to the Highly Important Issues list, each member should prepare a brief recommendation, stating why the selected issue should be added to the "Highly Important Issues" list. They should be prepared to share their recommendation to their fellow members at the June 4, 2002 meeting.

It was recommended that staff be asked to contact Mr. Robert Raymond of Richmond, VA, a Certified Public Accountant, to present to the Panel the various tax implications on the child support obligation. Staff was also asked to contact the North Carolina and West Virginia child support programs to determine how they implemented a Self-Support Reserve in their guidelines.

Note was also made that the Panel will need to consider the retroactive applicability of any Guideline changes. For example, would a change by itself, mandate a review of all current cases?

There being no further business, the meeting was adjourned by the Chair at 3:55 p.m.

A handwritten signature in dark ink, appearing to read "Bill Brownfield". The signature is written in a cursive, somewhat stylized font.

Bill Brownfield, Secretary

*Approved at the June 4, 2002 meeting of the panel.*



# ATTACHMENT

## Highly Important Issues list

(As revised at the May 23, 2002 meeting)

Highest-ranked issues are in **bold** and are in no particular order of priority]

1. **Define child support. What should be included in the award? Need to be stated such that it is uniformly understood;**
2. Concrete rules as to when child support can and cannot be awarded;
3. Review of the amount of the award. Is there really a need?;
4. A “disincentive” for attorneys who might limit visitation under 90 days, e.g. a policy statement;
5. One standard guideline with all deviations used by court and DCSE;
6. Custodial parent accountability of child support awards;
7. Review and possible adjustment of child support award according to age of dependent;
8. **Tax consequences in the guideline; Taxes - how to address benefits and consequences; Day care costs/federal child care credits;**
9. §20-108.2 (First Mortgage concept versus second family/relationship children);
10. **Minimum order (\$65) for Court-ordered@ child support for unemployed NCP’s;**
11. **Review the three recommendations from the JLARC Report on The Cost of Raising Children;**
12. Shared custody - policy statement;
- ~~13. Taxes - how to address benefits and consequences; [see #8]~~
14. **Maximum percent of income to order - a maximum percentage of income;**
15. Base pay versus second job income;
- ~~16. Day care costs/federal child care credits; [see #8]~~
17. **Means of identifying the support, e.g. food, shelter, transportation, etc.;**
18. Any changes in federal bankruptcy laws;
19. **Schedule inclusions/parameters of the Schedule;**
20. Half-day issues;
21. Emancipation issues [Shoup v Shoup];
22. Gross income versus net;
23. Mandatory review for unemployed-imputation [Jackson letter];
24. Update guidelines to reflect the real cost of raising children [Walter’s letter and three following];
25. Require filing annual financial affidavit, to include “assets” in addition to “income”;
26. When ordered payment is not forthcoming, reasonable legal costs to collect support should be charged to obligor;
27. When arrearages occur, some automatic penalty similar to mortgage or rent payment;
28. **Self Support Reserve**
29. Deviation factors;
30. Language to nullify “clean hands” issue [when NCP has arrearage and is in financial difficulty]; and,
31. Determine Income Shares versus Cost Shares for determining the Schedule of Monthly Obligations.